



DEPARTMENT OF THE ARMY  
US ARMY INSTALLATION MANAGEMENT COMMAND  
HEADQUARTERS, US ARMY GARRISON, PRESIDIO OF MONTEREY  
197 PATTON AVENUE, BLDG 218  
MONTEREY, CA 93944-5006

AMIM-PMG-ZA (100)

18 June 2024

MEMORANDUM FOR Presidio of Monterey Installation

SUBJECT: United States Army Garrison (USAG) Presidio of Monterey (PoM),  
Command Policy #2 – The Equal Employment Opportunity (EEO) Program

1. References. See Enclosure 5.
2. Purpose: The purpose of this policy is to state the USAG POM's commitment to maintaining a "model EEO" program and an environment free from workplace discrimination.
3. Applicability: The policy applies to all civilian employees and military supervisors of civilian employees assigned to or under the operational control of the USAG POM and tenant activities, to include applicants for employment and former employees. This policy supersedes the previous command policies on this subject, dated November 2022.
4. Equal Employment Opportunity (EEO) is the right of every USAG POM employee (civilian and military) and applicant for employment and is an integral part of our organizational priorities and strategic plan. USAG POM is totally committed to supporting the Army EEO vision of being a "model employer" and to the implementation of the affirmative employment programs.
5. We all must continue to pursue and implement affirmative employment strategies designed to promote EEO in the workforce. The same level of effort and commitment required of every manager and supervisor to ensure high quality services and products is also needed for the achievement of EEO and affirmative employment objectives. As a working team, we can accomplish the USAG POM's goal to achieve a workforce that represents the diversity of our great Nation.
6. All members of management must demonstrate proactive leadership in fostering a work atmosphere that is free of harassment and discrimination while promoting EEO. We will accomplish this by committing to the following:
  - a. Immediately address all allegations of discriminatory harassment and/or reprisal as directed in Enclosure 1, Anti-Harassment Policy.

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b. Timely comply with processing reasonable disability accommodation requests for individuals faced with physical or mental impairments as set forth in Enclosure 2, Reasonable Accommodation Program.

c. Use the Alternative Dispute Resolution Program as prescribed in Enclosure 3, The Alternative Dispute Resolution Program.

d. Respect and protect the rights of job applicants and employees who seek EEO services as stipulated by law and regulations. See Enclosure 4, EEO Complaint Policy.

e. Adhere to all laws and regulations as specified in Enclosure 5, References.

f. Performance objectives for specific EEO Program progress and achievements must be included in all USAG and POM senior executive, managerial, and supervisory performance standards.

g. Support employees serving in EEO collateral duty positions such as EEO Counselors, Mediators, and Special Emphasis Program Committee Members and Managers.

7. We must continually strive to become a model employer, and I know that I can count on all of you for your support.

8. With the commitment and support of all personnel, USAG POM will further our goal to be a model EEO employer. A copy of this policy and its attachments will be electronically distributed to all USAG POM personnel, provided to all USAG POM tenant activities, and digitally posted on the USAG POM EEO websites, and posted in hard copy on all official USAG POM bulletin boards in compliance with 29 C.F.R. §1614.102(b)(5).

9. Proponent. The proponent for this policy is the EEO Office at (831) 242-5105 and at [usarmy.pom.id-training.mbx.pom-eeo-mailbox@army.mil](mailto:usarmy.pom.id-training.mbx.pom-eeo-mailbox@army.mil).

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DANIEL S. ARTINO  
COL, AV  
Commanding

## ANTI-HARASSMENT POLICY

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1. This policy annotates the USAG POM's commitment to maintaining an environment free from workplace harassment.
2. All members of the USAG POM workforce are to treat one another with respect and dignity. The USAG POM holds supervisors accountable for maintaining a workplace environment which supports the principles of dignity and mutual respect and is free from harassment.
3. Workplace harassment can be based on age (over 40), color, disability, sex (including pregnancy, sexual orientation, and gender identity), genetic information, national origin, race, religion, and reprisal for participation in protected EEO activity. Unacceptable conduct which contributes to workplace harassment, leading to discriminatory activities, will not be tolerated.
4. Allegations of discriminatory harassment and/or reprisal (including sexual harassment) are taken seriously and investigated promptly. Employees who believe they have been subjected to harassment and/or retaliation are encouraged to contact their supervisor to resolve issues of harassment at the lowest possible level or contact the EEO Office at (831) 242-5105.
5. Supervisors are expected to maintain an environment free of workplace harassment. \*Moreover, managers and supervisors alike are required to report all disclosures of discriminatory harassment and/or reprisal and to thoroughly investigate such allegations.

## REASONABLE ACCOMMODATION PROGRAM

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1. This policy annotates the USAG POM's commitment to full compliance with the requirements of the Rehabilitation Act of 1973, as amended. Under the law, Federal agencies must provide Reasonable Accommodations (RA) to qualified employees or applicants with disabilities, unless to do so would cause an undue hardship.
2. Reasonable Accommodation is any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities.
3. Job applicants and employees may be entitled to disability accommodation when their medical condition or impairment prevents effective competition for a position, job performance, or access to a benefit of employment. Disability accommodation includes, but is not limited to, modifications to the work environment and/or the manner of work performance. Accommodations that are reasonable are those that: (a) enable applicants to compete for a position or (b) facilitate the performance of the essential functions of a duty position, and (c) do not create an undue hardship for the organization, as defined by 29 CFR §1630.2.
  - a. Managers and supervisors will expeditiously process all requests for disability accommodation, understanding that a delayed accommodation is a *de facto* violation of federal law.
  - b. The procedures for providing RA for Individuals with Disabilities are found in AR 690-12 (Equal Employment Opportunity and Diversity), Appendix C
4. Supervisors should contact the EEO Disability Program Manager upon receipt of a request for disability accommodation. Approvals of such requests may be made at the supervisor level. A denial of reasonable accommodation requires legal review. Documentation in support of an accommodation denial should be staffed through the Disability Program Manager, who will forward all necessary information to the Office of the Staff Judge Advocate.

## ALTERNATIVE DISPUTE RESOLUTION PROGRAM

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1. The USAG POM promotes the use of ADR, in the form of mediation, for early EEO complaint and workplace dispute resolution. I want to make maximum use of mediation, as the ADR process, for expeditiously resolving EEO complaints and workplace disputes.
2. Mediation provides a trained, neutral, and impartial third party (mediator) to guide the parties through a structured resolution process. It can be applied for all types of workplace disputes and allows both parties to maintain control over the outcome. The process is swift, confidential, and fair.
3. The primary advantage of mediation is the capability to both resolve differences and improve working relationships. Consequently, when an aggrieved employee accepts an offer by the servicing EEO Office to mediate, management will also participate in the mediation process. Supervisors may utilize the services of a mediator by contacting the EEO Office in the attempt to resolve workplace disputes.
4. Total support for the ADR process is expected. Using mediation will enhance mission readiness, reduce costs, and benefit management and employee relations. Supporting this program promotes a work environment conducive to personal and professional excellence.

## EEO COMPLAINT POLICY

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1. This policy mandates EEO for all job applicants and employees and prohibits discriminatory harassment and/or reprisal in personnel policies, operations, and practices. Compliance with this policy, as well as the references identified in Enclosure 5, is a required leadership function.
2. Discriminatory harassment consists of treatment – either less favorable or different – based on the following protected categories: age (over forty years), color, disability, sex (including pregnancy, sexual orientation, and gender identity), genetic information, national origin, race, and/or religion. Reprisal can manifest as unfavorable treatment, punishment, or harassment for protected activity (i.e., past or present EEO complaint or witness participation).
3. All personnel and applicants for employment have the freedom, the right to work, the right to serve, and the opportunity to advance professionally based on merit, ability, and potential. They will be free from social, personal, or institutional barriers of prejudice and discrimination.
4. All job applicants and employees have the right to work in the federal service and to professionally advance fairly and equitably. Such employment and advancement shall be free from acts of discrimination and harassment.
5. Any person subjected to discrimination or harassment or seeking assistance and additional information may contact the EEO Office to speak with an EEO practitioner. Normally, contact with an EEO practitioner must be within 45 calendar days of an alleged discriminatory incident or when becoming aware of the event or action. However, there are allowable extensions for reasons outlined in 29 CFR §Part 1614.105(a)(2).

## REFERENCES

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1. Title VII of the Civil Rights Act (Title VII) (42 USC §2000e-16).
2. The Age Discrimination in Employment Act (ADEA) (29 USC §621).
3. The Equal Pay Act (29 USC §206(d)).
4. The Rehabilitation Act (29 USC §791).
5. Americans with Disabilities Act (ADA).
6. Americans with Disabilities Act Amendments Act (ADAAA) of 2008.
7. The Administrative Dispute Resolution Act of 1996.
8. Title 29, Code of Federal Regulations, §Part 1614 (Federal Sector Equal Employment Opportunity).
9. Equal Employment Opportunity Commission (EEOC), Management Directive (MD) 110.
10. Equal Employment Opportunity Commission (EEOC), Management Directive (MD) 715.
11. DoD Instruction 1020.04 (Harassment Prevention and Responses for DoD Civilian Employees).
12. DoD Directive 1440.01 (The DoD Civilian Equal Employment Opportunity (EEO) Program).
13. AR 600-20 (Army Command Policy).
14. AR 690-12 (Equal Employment Opportunity and Diversity).
15. AR 690-600 (Equal Employment Opportunity Discrimination Complaints).